

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
May 4, 2004

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:00 p.m., Tuesday, May 4, 2004, in the Board Room, York Hall, by Chairman Thomas G. Shepperd, Jr.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Kenneth L. Bowman, James S. Burgett, and Thomas G. Shepperd, Jr.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

Invocation. Gregory Davy, Public Information Officer, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Shepperd led the Pledge of Allegiance.

## **PRESENTATIONS**

### **EMPLOYEE RECOGNITION PROGRAM**

After the Board and audience reviewed a slide program depicting the careers of the following two York County employees, Chairman Shepperd congratulated them on their service to the County and presented them with their service pins and certificates:

Wilton E. Wilson	20 years	General Services
Hugh S. Grizzard	30 years	Environmental & Development Services

### **OUTSTANDING YOUTH OF THE YEAR AWARDS**

Chairman Shepperd outlined the Outstanding Youth of the Year Program and expressed appreciation to the selection committee for the difficult task of selecting the recipients from the nominees. He announced that a \$500 scholarship would also be awarded to each recipient.

After reading each citing resolution, Chairman Shepperd presented the following recipients of the Outstanding Youth of the Year Awards with bound and sealed copies of their resolutions and an engraved Jefferson cup:

Scott Percic	Compassion
Tony Orband	Community Service
Christine Miller	Overall Achievement
Nick Renison	Courage

### **COMMUNITY WEB SITE**

Mr. Steven Bryan, representing the York County Chamber of Commerce, spoke on the York County Community Network. He indicated the internet is the future, and the Community Network is a community service project of the Chamber. Its goal is community and business development, and they work with the five sectors--business, government, education, organizations, and neighborhoods. The program offers a free website, and the benefit is increased communications and community awareness. The reward is a greater sense of community. Mr. Bryan noted the Chamber is conducting orientation training sessions on the program with a bi-weekly class at the Tabb Library. He stated this is an opportunity to make the York County neighborhood a better place to call home.

**CITIZENS COMMENT PERIOD**

Mr. James Gribble, 103 Jean Place, representing the York-Poquoson Chapter of the American Red Cross, announced a golf fundraiser would be taking place at Stonehouse to raise money for disaster relief in an effort to try and recoup funds lost during Isabel. He asked for the Board's help by supporting the golf tournament on June 2. All funds raised will go to the citizens of York County. He stated the Red Cross is always ready to help citizens in need, and they are the second people anyone sees at a fire or other disaster. Mr. Gribble spoke of the numerous projects the Red Cross has on-going throughout the County, and he again asked for the Board's support.

Mr. John McCrimmon, 810 Colonial Avenue, Williamsburg, representing the Retired Senior Volunteer Program (RSVP), spoke of the annual support of the County each year as being a major portion of the RSVP operational budget. He noted that RSVP tries to do a lot of things to encourage volunteers to keep volunteering, but its funding was cut by two-thirds for FY2005 from the County, and he expressed regret that he was not able to make a presentation before now. Mr. McCrimmon noted that this past year York County received \$233,385 of volunteer time for an investment of \$3,000. He stated York County has a long history of support for RSVP, and it needs the full \$3,000, no more. He asked that the Board allocate the full \$3,000 in FY2005 to the RSVP.

Mr. James O'Hara, 706 Main Street, stated he has been concerned about the preservation of Yorktown since the Focus on Yorktown took place. He stated if Grace Episcopal Church gets a permit from the Park Service to proceed with the change of its edifice, and if York County gives it a permit for construction, then he and his wife are committed to take it to court to see if the ordinance has any meaning. Regarding the waterfront, he noted that the Fifth Amendment to the Constitution says private property cannot be taken for public use without adequate compensation. York County acknowledged at the 11th hour it wanted a quitclaim deed from the Trustees for the properties, and in his opinion, the Board was caught with its hand in the cookie jar. Mr. O'Hara stated he appears tonight to let the Board know that he has worked on this for many years and is getting no positive movement for stewardship and preservation from the Board.

Mr. Stephen Roth, 319 Patriot Way, representing the York County Little League, spoke of the field issue in York County and went through a timeline of actions taken in the past concerning the lack of athletic fields in the County. He noted another letter was submitted on May 3 to tell the Board that Little League would continue to work with the County, but as of today they have not heard back from the School Board regarding correspondence sent to them. He stated they have worked with York and Tabb High Schools, and there are agreements to use their fields. Other options were in the letter, and Little League is working to acquire some things for its fields and would like to have the Board's support for lights at one of these fields. Mr. Roth asked for batting cages at the public fields. He also indicated that some of the other schools need lighting which would create more night-time opportunities for senior teams.

Mr. Eric Kidwell, 109 Larkin Run, representing the York County Little League, spoke about the need for these fields, stating that next year there will be a shortage of fields, and they will have to turn some young people away. He indicated they are two fields short right now. Mr. Kidwell expressed his concern about how many young people they will lose to video games and the mall. He stated there are many good things they can do, but they are out of time. He stated the York County Little League has offered suggestions, and they know there are things the County can do. Mr. Kidwell asked for the Board's support for more athletic fields in the County.

Mr. Allen Barber, 103 Calumet Turn, representing York County Little League, stated York County is not keeping up with what needs to be done for the kids. It is a real issue that will sooner or later hurt the County. He asked that the Board meet with members of the York County Little League to discuss the issue. He indicated he feels the Little League is caught up in the bureaucratic process, and they would like to talk to the Board directly.

Meeting Recessed. At 8:02 p.m. Chairman Shepperd declared a short recess.

Meeting Reconvened. At 8:10 p.m. the meeting was reconvened in open session by order of the Chair.

**PUBLIC HEARINGS****WAIVER OF BUILDING PERMIT FEES**

Mr. McReynolds made a presentation on proposed Ordinance No. 04-7 to provide for the temporary waiver of building permit fees on permits for the repair and reconstruction of buildings damaged or destroyed by Hurricane Isabel.

Mrs. Noll asked if the County is keeping track of the number of free permits so that when all repairs are finished the County will know what it has given back to the community.

Mr. John Hudgins, Director of Environmental and Development Services, stated staff keeps track of all permits, the categories, and which houses were damaged or destroyed by the hurricane.

Mrs. Noll asked for a summary once all the damage has been repaired or reconstructed.

Mr. Bowman asked what staff has in place to ensure that people requesting the waived permit fees have legitimate storm damage and are not just building new houses or structures.

Mr. Hudgins indicated there was an initial damage assessment, and then a more detailed damage assessment was done throughout the County. All was recorded, and the building official has assisted many residents with FEMA and insurance company claims. He stated he feels very sure staff has control over the waived permits.

Chairman Shepperd then called to order a public hearing on proposed Ordinance No. 04-7 that was duly advertised as required by law and is entitled:

AN ORDINANCE FOR THE TEMPORARY WAIVER OF BUILDING PERMIT FEES ON PERMITS FOR THE REPAIR AND RECONSTRUCTION OF BUILDINGS DAMAGED OR DESTROYED BY HURRICANE ISABEL, AND TEMPORARILY WAIVING THE REQUIREMENT FOR A \$2,500.00 SURETY FOR THE PLACEMENT OF A TEMPORARY DWELLING ON PRIVATE PROPERTY PURSUANT TO YORK COUNTY CODE § 24.1-445 (e) IF REQUIRED FOR THE RECONSTRUCTION OR REPAIR OF A RESIDENCE DAMAGED OR DESTROYED BY HURRICANE ISABEL, AND ALLOWING THE USE OF RECREATIONAL VEHICLES AS TEMPORARY DWELLINGS NOTWITHSTANDING THE PROVISIONS OF COUNTY CODE § 24.1-271

There being no one present who wished to speak concerning the subject ordinance, Chairman Shepperd closed the public hearing.

Mrs. Noll moved the adoption of proposed Ordinance No. 04-7 that reads:

AN ORDINANCE FOR THE TEMPORARY WAIVER OF BUILDING PERMIT FEES ON PERMITS FOR THE REPAIR AND RECONSTRUCTION OF BUILDINGS DAMAGED OR DESTROYED BY HURRICANE ISABEL, AND TEMPORARILY WAIVING THE REQUIREMENT FOR A \$2,500.00 SURETY FOR THE PLACEMENT OF A TEMPORARY DWELLING ON PRIVATE PROPERTY PURSUANT TO YORK COUNTY CODE § 24.1-445 (e) IF REQUIRED FOR THE RECONSTRUCTION OR REPAIR OF A RESIDENCE DAMAGED OR DESTROYED BY HURRICANE ISABEL, AND ALLOWING THE USE OF RECREATIONAL VEHICLES AS TEMPORARY DWELLINGS NOTWITHSTANDING THE PROVISIONS OF COUNTY CODE § 24.1-271

WHEREAS, on September 18, 2003, Hurricane Isabel caused substantial damage to property in York County, including in numerous instances the damage to or destruction of buildings and structures, including but not limited to residential structures; and

WHEREAS, on October 21, 2004, as a means of assisting the citizens of York County in repairing damage caused by Hurricane Isabel, the County Board of Supervisors adopted an emergency ordinance (Ordinance No. 03-39) pursuant to Code of Virginia § 15.2-1427 (F), waiving in certain instances the imposition of building permit fees as required by County code § 7.1-8 and the surety required by the placement of a temporary home on property while constructing a permanent residence as required by County code § 24.1-445 (e), and allowing the use of recreational vehicles as temporary dwellings without the restrictions imposed by County code § 24.1-271 (h); and

WHEREAS, the Board desired to readopt the ordinance to be effective for a further period of time.

NOW, THEREFORE, BE IT ORDAINED, by the York County Board of Supervisors this the 4th day of May, 2004, that until September 18, 2005, the requirement for the payment of a building permit fee as is otherwise required by County code § 7.1-8, and the requirement to post a surety in the amount of \$2,500.00 in connection with the use of a temporary dwelling for residential occupancy during construction or repair of a permanent residence, shall be waived provided that the following conditions are met:

1. The building permit, or the use of the temporary dwelling, is for the purpose of reconstructing or repairing a building or other structure damaged or destroyed by floodwaters, high winds, or other circumstances resulting directly from Hurricane Isabel.
2. With respect to administrative permits issued pursuant to County code § 24.1-445 for the use of temporary dwellings, a building permit for the construction or repair of the permanent residence shall have been obtained prior to the placement or erection of the temporary dwelling on the property.
3. A temporary dwelling placed on property pursuant to County code § 24.1-445 must be removed prior to the issuance of the permanent certificate of occupancy for the reconstructed or repaired residence, provided, however, that a temporary certificate of occupancy, the term of which shall not exceed thirty (30) days, may be issued to allow the transfer of furnishings and possessions from the temporary dwelling to the permanent residence prior to the removal of the temporary dwelling from the site.
4. Administrative permits issued pursuant to County code § 24.1-445 may be issued to allow recreational vehicles to be utilized as a temporary dwelling and to be placed on the subject property notwithstanding the provisions of County code § 24.1-271 (h) which otherwise restricts the placement of recreational vehicles on a parcel.
5. Except to the extent modified herein, the provisions of York County code §§ 7.1-8, 24.1-271 (h), and 24.1-445, shall continue in full force and effect.
6. This ordinance shall be deemed to have become effective as of September 18, 2003, and any actions taken pursuant to the adoption of this emergency ordinance by the County Administrator or his designees in waiving the requirements for building permit fees or sureties for the use of temporary dwellings are hereby ratified.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Bowman, Burgett, Shepperd  
Nay: (0)

#### APPROVAL OF HURRICANE ISABEL RECOVERY PROCUREMENT ACTIONS

Mrs. Marycarol White, Director of Financial and Management Services, made a presentation on proposed Resolution R04-58 which would authorize the completion of purchases of goods and services relating to Hurricane Isabel recovery and appropriate the necessary funds.

Mr. Zaremba asked if the County has received verification that it will receive the \$7.8 million from the federal government.

Mrs. White stated the County has received most of the \$7.8 million. Some is still outstanding, but staff is working with FEMA on getting the last portion. Staff is actively pursuing every claim. She stated the same applies for the state reimbursements. The state pays on a formula based on what the federal government reimburses.

Mr. Zaremba noted he personally had a lot of doubt in terms of the FEMA response. He stated he feels this has the makings of a great article for Citizens News because the citizens need to be made aware of the extent of the damage, the cost, and the recuperation of the loss.

Mr. McReynolds stated that York County is very fortunate. Staff has made a tremendous effort, documentation was kept in the field, and records kept were very meticulous. He stated that York County has probably fared better than many of its neighbors.

Chairman Shepperd then called to order a public hearing on proposed Resolution R04-58 that was duly advertised as required by law and is entitled:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO COMPLETE THE PURCHASES OF GOODS AND SERVICES  
RELATING TO HURRICANE ISABEL RECOVERY AND APPROPRI-  
ATE THE NECESSARY FUNDS

There being no one present who wished to speak concerning the subject resolution, Chairman Shepperd closed the public hearing.

Mr. Burgett moved the adoption of proposed Resolution R04-58 that reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO COMPLETE THE PURCHASES OF GOODS AND SERVICES  
RELATING TO HURRICANE ISABEL RECOVERY AND APPROPRI-  
ATE THE NECESSARY FUNDS

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the Board of Supervisors declared a Local Emergency by its Resolution R03-167, dated September 16, 2003, initiating Emergency Purchase procedures in accordance with County Purchasing Policy (Ordinance No. 03-36); and

WHEREAS, the County Administrator determined that the following procurements were necessary and desirable, that they involved the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 4th day of May, 2004, that funds in the total amount of \$9,756,500 be, and hereby are, appropriated and the associated revenues are accepted in the County's Fiscal Year 2004 budget, as shown in the table below, for the purchase of goods and services related to the mitigation, preparedness and recovery from Hurricane Isabel:

General Fund	\$810,000
Vehicle Maintenance Fund	\$32,500
Solid Waste Management Fund	\$8,635,000
Sewer Utility Fund	\$235,000
Education	\$44,000

BE IT FURTHER RESOLVED that the County Administrator be, and hereby is, authorized to complete procurement arrangements for:

	<u>AMOUNT</u>
Debris removal and Clean-up	\$8,783,600
Controllors and Sump Breathers	34,662
Repairs to Fire/Intrusion Alarm systems	30,000
Communications Equipment	37,831
Dodge Ram vehicles	82,632

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Debris removal and Clean-up at Parks

167,500

On roll call the vote was:

Yea: (5) Noll, Bowman, Burgett, Zaremba, Shepperd  
Nay: (0)

**COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett indicated there was not much to brief the Board on concerning the General Assembly and its actions. The Washington Post on its internet site mentioned that budget negotiations on the expenditure side broke down this morning, and there is no precise indication of when they will resume their discussions. He noted he had not yet heard from three of the Board members regarding his memorandum on mini-bikes with a sample ordinance and examples of other area ordinances. He stated that as soon as he can get a sense from the other three with the direction the Board would like to go, he would put together a final draft ordinance for the Board to consider before it is advertised for public hearing and goes on an agenda for action.

Mr. Burgett expressed his concern that three of the Board members had not yet responded to Mr. Barnett, and he asked them to do so as soon as possible.

**COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds reminded the Board members of a work session scheduled for May 11 to hear information on the assessment process. Also on that agenda will be a proposed resolution concerning the Board's support of major league baseball in the region, and a presentation from the Yorktown Foundation about statuary being created in the village as a part of the Riverwalk Project.

**OPERATIONAL EFFICIENCIES REPORT FOR 2003**

Mr. McReynolds spoke of the dedication of the staff and getting all the dollars the County is entitled to. He stated the staff puts together a report each year entitled Operational Efficiencies Report, and he presented the Board with the 2003 report and elaborated on some of the things staff does to provide services to the County residents while saving them money. Mr. McReynolds noted the staff works throughout the year to be as efficient as it can possibly be. He stated the total savings for 2003 was in excess of \$10,000,000 while still providing quality service. He stated the savings equates to about 20 cents on the real property tax rate.

**MATTERS PRESENTED BY THE BOARD**

Mr. Zaremba stated the Board's policy is not to respond to citizens during Citizens Comment Period, but they do listen and follow up. He spoke of the gentlemen who spoke for the York County Little League and RSVP requesting more funding for their budgets after the County's budget was adopted, and suggested that these organizations follow the County's process of submitting requests to the Board of Supervisors. Mr. Zaremba noted that the County has a master plan to increase the recreational facilities, and new ideas and funding need to be plugged into it for them. The County Administrator mentioned briefly that next Tuesday night the Board will have a work session concerning the assessment process, and he stated the Board will hear how the assessment office is organized and how it goes about fulfilling its statutory requirements. He addressed the budget process and solicited the citizens' input on ideas for a better process, and he suggested that the Board consider looking at a merit pay raise structure for next year. He spoke of timeshares, stated he is convinced that the County is missing out on revenues that ought to be coming into the County coffers. Mr. Zaremba then addressed marketing for Yorktown, and suggested that at some point in time Ms. Olsen should come before the Board to discuss the County's marketing plan.

Mr. Burgett stated he did not think there was a person on the Board who doesn't want more ball fields for the County, but to light the fields the Little League wants will cost almost one-half

million dollars. He agreed with Mr. Zaremba that it is tough to consider after the Board has completed its budget process. He suggested that a committee of two be appointed from the Board to meet with the Little League and bring the issues back to the full Board for consideration. He noted that lots of things are going on behind the scenes that the Little League is not aware of, but the Board is moving vigorously on this issue. Mr. Burgett then addressed Mr. O'Hara's comment tonight concerning the need for a quitclaim deed from the Trustees was because the Board got caught with its hand in the cookie jar. He expressed his disagreement with the statement because getting a quitclaim deed is very common to do. It is very routine and not anything unusual, and it was not done because the Board knew something others did not. He stated he feels the Board is on very firm ground, and to say the Board was caught in the cookie jar indicates dishonesty, and there is no one dishonest on the Board.

Mrs. Noll displayed a poster announcing May 7 as Clean Commute Day sponsored by the Hampton Roads Transit and Public Transportation Alliance and concerned citizens. She encouraged citizens to take part in the Clean Commute Day and contribute to a cleaner environment by finding other ways of getting to work without driving their own vehicles. She noted there are more and more trucks each day on the highways and more and more cars, and there is a need to do something about it. Mrs. Noll stated she was very proud of the four outstanding youth honored today. She also congratulated the following four 10th grade students at Tabb High School for their placement at a Holocaust Memorial Remembrance poetry and essay contest:

Jessica Loopa	Poetry	1 <sup>st</sup> Place
Hanna Johnson	Poetry	2 <sup>nd</sup> Place
Megan Kipperly	Essay	1 <sup>st</sup> Place
Nicole Owen	Essay	2 <sup>nd</sup> Place

Mr. Bowman also spoke of the great achievements of the four young people in the County, and the two employees who have served the County for 20 and 30 years. He stated the Youth Commission program is another exceptional program, and it was a tough decision to select three individuals for next year's Youth Commission from his district. He noted he has also been approached by the York County Little League about the lack of fields. There are a significant number of kids involved in different sports in the County. The County does not have big industry, but it has quality of life, and he stated he feels it is time the Board looked at partnering with someone or some organization to keep this quality of life and the investment in the futures of York County children, keeping them off the streets, and keeping them interested in a team sport. Mr. Bowman then apprised the Board members of his visit to the Lackey Free Clinic and the wonderful job they are doing. He encouraged the Board members to stop by and take a look at what they are doing. He also apprised the Board of a meeting he attended at the Edgehill Clubhouse dealing with stormwater drainage. Everybody wants money to correct the problem in Edgehill, and it will cost in excess of \$2 million to get the first phase completed, which is much more than the County has allocated. He stated the Board needs to look closely at this problem because, as it is prolonged, it will become even more expensive. Mr. Bowman also noted that the citizens of District 3 appreciate the Board's adoption of the ordinance extending the building permits to September 18, 2005.

Chairman Shepperd stated he attended an HRPDC meeting on April 21, but had nothing of interest to report. He noted the County also said farewell to the Zweibrucken students on April 21. On April 22 he attended the groundbreaking ceremony for Sentara Hospital, which will be a very nice facility. On April 28 he held a District 5 town meeting where a little over 100 people attended, and there was great interaction. This morning he attended the ribbon cutting ceremony for the Poor Potter archeological site, and noted it was one of the best preserved pottery sites in the world. At the meeting of the PAED he attended on April 28, Mr. Shepperd noted there were two issues of interest. The Alliance had basically agreed to pay to have a professional assessment done to determine the viability of a fundraiser for \$1.3 million. The membership of the Alliance felt it was not a good time because of change in leadership which will soon take place and the issue of jointness between the northside and southside economic development entities. The membership recommended that a more strategic view be developed and see how it goes from there. Mr. Shepperd then discussed the requests for funding the Board receives for lots of important issues, but he stated it would be irresponsible of the Board to throw money at them upon request and address them outside the Board's normal budget process. He explained that it must be done in a rational, responsible manner. He stated he feels the taxes will go up in two years, and property values are going to go up also. The question for the Board to consider now is what can it do about it, and it needs to be considered

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now. Mr. Shepperd stated the County has operated on the idea of a fixed formula for the schools, but the Board needs to reconsider using a fixed formula, and the School Board needs to provide the Board of Supervisors with detailed information on the big items so it can understand and support them. He stated the Board has to be able to justify raising taxes to meet the County's needs.

### **CONSENT CALENDAR**

Chairman Shepperd asked if the Board members had any issues with the three items on the Consent Calendar. He noted he had a question regarding Item No. 5 concerning the request for sewer extension. Often these requests come before the Board where the developer wants approval to extend the sewer to a development and hook up to the County's system, and the staff memorandum always says there is sufficient capacity. He asked how staff knows the capacity is sufficient to handle the extension.

Mr. John Hudgins, Director of Environmental and Development Services, stated staff knows the County systems. Each request is analyzed as to whether or not there is adequate capacity, and staff negotiates with the developer to insure that the system he puts in is adequate to meet surrounding needs as well.

Chairman Shepperd asked if the pumping station will be able to handle the development around it.

Mr. Hudgins stated that if it cannot, the developer would have to pay for the new pump station to handle it, as well as the distribution and facility costs.

Chairman Shepperd asked how much more capacity does the system have.

Mr. Hudgins indicated he was not sure.

Chairman Shepperd indicated his point was that the Board sees and approves these requests regularly, and it keeps adding to the capacity; but eventually there will be a need for new pumping stations, and this will not be done at taxpayers' expense.

Mr. Hudgins stated Mr. Shepperd was correct.

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 3, 4, and 5, respectively.

On roll call the vote was:

Yea: (5) Bowman, Burgett, Zaremba, Noll, Shepperd  
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

Item No. 3. PURCHASE AUTHORIZATION: Resolution R04-79.

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE THE PURCHASE OF A PASSENGER VAN, PRO-  
TECTIVE CLOTHING, AND A CLASSROOM TRAILER

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements are necessary and desirable, that they involve the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of May, 2004, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

14-Passenger Van  
Protective Clothing  
Classroom Trailer

AMOUNT  
\$38,637  
65,205  
42,375

Item No. 4. EMPLOYEE OF THE QUARTER: Resolution R04-80.

A RESOLUTION TO COMMEND DOUGLAS F. DEACH IN THE  
DEPARTMENT OF GENERAL SERVICES AS EMPLOYEE OF THE  
QUARTER

WHEREAS, Douglas F. Deach has been employed with the County since May of 1997 and currently holds the position of Service Technician in the Department of General Services; and

WHEREAS, Mr. Deach is a skilled craftsman providing top quality metal fabrication to many County departments and he has fabricated numerous parts and components for a variety of equipment types such as canopies for turf maintenance equipment and tool boxes for construction equipment; and

WHEREAS, due to the State mandating that certain Emergency Medical Service (EMS) supplies be climate controlled at all times, Mr. Deach fabricated new metal refrigerated drug boxes to be placed on Battalion Chief and EMS Supervisor vehicles, which resulted in a net savings of \$10,000 to the County; and

WHEREAS, in that Mr. Deach convinced two vendors to make repairs on equipment for which the warranties had expired and saved the County over \$1,000 in repair costs, his stewardship of the County budget and the citizen's trust is an example for all of us to follow; and

WHEREAS, Mr. Deach's exemplary performance and dedication to duty are valuable assets to the County and inspirational to other members of the shop and he is, therefore, recommended for Employee of the Quarter;

NOW THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of May, 2004, that Douglas F. Deach, Service Technician be and is hereby, congratulated upon his selection as Employee of the Quarter for the quarter ended December 31, 2003.

Item No. 5. PUBLIC SEWER EXTENSION AGREEMENT: MAPLE TERRACE. Resolution R04-77

A RESOLUTION TO AUTHORIZE AN EXTENSION OF THE  
COUNTY'S SANITARY SEWER SYSTEM TO A PROPOSED DE-  
VELOPMENT KNOWN AS MAPLE TERRACE, AND AUTHORIZING  
EXECUTION OF THE NECESSARY PUBLIC SEWER EXTENSION  
AGREEMENT

WHEREAS, Mid-Atlantic Communities, L.L.C., has requested that the County enter into a public sewer extension agreement pursuant to § 18.1-53 (b) of the York County Code to serve thirty-three new residential lots; and

WHEREAS, the plan for the proposed project has been reviewed by the County; and

WHEREAS, prior to final approval of these plans and the initiation of any construction activity, it is necessary that a determination be made as to whether the Board will authorize the extension of the public sewer facilities of the County to serve the proposed development; and

WHEREAS, it has been determined that sufficient capacity exists in the County's existing sewer system to serve the proposed development, or will exist when the facilities proposed by the developer are constructed; and

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WHEREAS, in accordance with the terms of Chapter 18.1 of the York County Code, the total connection fee to be paid to the County for the proposed extension to serve this development has been determined to be \$84,900;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of May, 2004, that the Board approves the extension of the County's public sewer system to serve the proposed development, Maple Terrace, and that the County Administrator be, and he hereby is, authorized to execute a public sewer extension agreement with Mid-Atlantic Communities, L.L.C., for the proposed extension; such agreement to be approved as to form by the County Attorney.

**CLOSED MEETING.** At 9:18 p.m. Mr. Burgett moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions.

On roll call the vote was:

Yea: (5) Burgett, Zaremba, Noll, Bowman, Shepperd  
Nay: (0)

Meeting Reconvened. At 9:42 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Burgett moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREE-  
DOM OF INFORMATION ACT REGARDING MEETING IN CLOSED  
MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 4th day of May, 2004, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Bowman, Burgett, Shepperd  
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY STORMWATER ADVISORY BOARD

Mr. Shepperd moved the adoption of proposed Resolution R04-15 that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE STORMWATER  
ADVISORY COMMITTEE

WHEREAS, the terms of Lucien Lafrenaye, Michael Bossie, Richard Carver, Helmut Walter, Robert Brodel and Matthew Teasdale will expire on June 30, 2004; and

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WHEREAS, Donald Davis and George Hrichak, both from District 4, have resigned and the Committee is in need of two new members from District 4.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 4th day of May, 2004, that the following individuals be, and they are hereby, appointed as voting members to the York County Stormwater Advisory Committee, such appointments to take effect July 1, 2004, and expire on June 30, 2006.

Jan W. Briede	District 3 (At-Large)	Lucien Lafrenaye	District 2
Jeffrey D. Wassmer	District 5	Michael Bossie	District 3
Jim Pouchot	District 4	Richard Carver	District 3
Martin Fisher	District 3	Robert Brodel	District 5

On roll call the vote was:

Yea: (5) Noll, Bowman, Burgett, Zaremba, Shepperd  
Nay: (0)

#### APPOINTMENTS TO THE HISTORIC YORKTOWN DESIGN COMMITTEE

Mr. Zaremba moved the adoption of proposed Resolution R04-88 that reads:

#### A RESOLUTION TO MAKE APPOINTMENTS TO THE HISTORIC YORKTOWN DESIGN COMMITTEE

WHEREAS, the Board of Supervisors has established the Yorktown Historic District and the Yorktown Design Guidelines, both to become effective as of June 1, 2004; and

WHEREAS, the Yorktown Historic District Design Guidelines are to be administered by the 3-member Historic Yorktown Design Committee (HYDC); and

WHEREAS, Ms. Nancy Laurier, who was appointed in February to the HYDC, has submitted notice that she will be unable to serve as a full-time member but would be interested in serving as an alternate; and

WHEREAS, the Board wishes to appoint a replacement member to the HYDC in accordance with the terms specified in the Yorktown Historic District ordinance.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 4th day of May, 2004, that the following individuals are hereby appointed to serve on the Historic Yorktown Design Committee for the specified terms:

Jennifer K. Carver	2-year term	June 1, 2004 to May 31, 2006
Nancy L. Laurier	(Alternate)	June 1, 2004 to May 31, 2006

On roll call the vote was:

Yea: (5) Bowman, Burgett, Zaremba, Noll, Shepperd  
Nay: (0)

#### APPOINTMENTS TO THE 2004-2005 YORK COUNTY YOUTH COMMISSION

Mr. Burgett moved the adoption of proposed Resolution R04-53 that reads:

#### A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY YOUTH COMMISSION FOR 2004-2005

WHEREAS, the York County Board of Supervisors established the York County Youth Commission on March 3, 1983; and

WHEREAS, the revised bylaws of December 5, 2000, direct there shall be up to fifteen individuals appointed, three from each voting district, grades 9 through 12, to serve on the

May 4, 2004

Commission;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors on this 4th day of May, 2004, that the following individuals be, and they hereby are, appointed to the York County Youth Commission for 2004-2005.

<u>Name</u>	<u>Election District</u>
Ben Abel	1
Peter Bakkum	1
Ben Frisch	1
Prateesh Maheshwari	2
Caitlyn O'Hara	2
Chris Rhodes	2
Harut Gyurjyan	3
Jonathan Noel	3
Monique Washington	3
Kristen Ashby	4
Stephanie Richardson	4
Jennifer Rosso	4
Sarah Trimble	5
Banu Myneni	5
Aagya Mathur	5

BE IT FURTHER RESOLVED that the above-named individuals' terms will begin on July 1, 2004, and expire June 30, 2005.

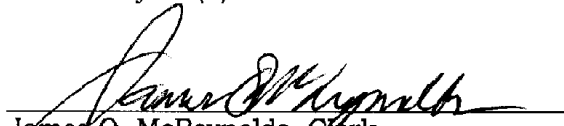
On roll call the vote was:

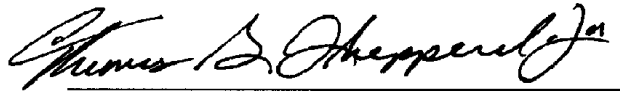
Yea: (5) Burgett, Zaremba, Noll, Bowman, Shepperd  
 Nay: (0)

Meeting Adjourned. At 9:46 p.m. Chairman Shepperd moved that the meeting be adjourned to 6:00 p.m., Tuesday, May 11, 2004, in the East Room, York Hall, for the purpose of conducting a work session.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Bowman, Burgett, Shepperd  
 Nay: (0)

  
 James O. McReynolds, Clerk  
 York County Board of Supervisors

  
 Thomas G. Shepperd, Jr., Chairman  
 York County Board of Supervisors